

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,
CONSTRUCTION TEAMSTERS HEALTH AND
WELFARE FUND and INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, LOCAL 379,
Plaintiffs**

C.A. No. 04-12053 GAO

vs.

**BAY STATE SWEEPING & CONSTRUCTION CORP.,
Defendant**

and

**EASTERN BANK,
Trustee**

**AFFIDAVIT OF CHRISTOPHER WALSH IN SUPPORT OF
MOTION FOR ENTRY OF DEFAULT JUDGMENT**

1. My name is Christopher Walsh. I am the Administrator of the Construction Teamsters Health and Welfare Fund ("Fund").
2. Bechtel/Parsons Brinckerhoff, project manager of the Central Artery (I-93)/Tunnel (I-90) Project ("Big Dig"), entered into a Project Labor Agreement ("PLA") with all of the unions performing work on the Big Dig. The International Brotherhood of Teamsters, Local 379 was one of the signatory unions.
3. Pursuant to the PLA, Bay State became bound to the terms of the Fund's collective bargaining agreement, the Massachusetts Heavy Construction Agreement (the "Agreement").

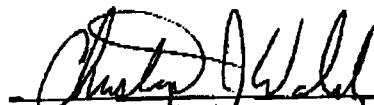
4. The Agreement, like its predecessor and subsequent agreements, requires employers to make fringe benefit contributions to the Fund for each hour worked by covered employees.

5. The Agreement specifies the amount to be contributed by an employer to the Fund for each hour worked.

6. The Fund's auditor conducted an audit of Bay State's payroll records for the period January, 2000 through December, 2002 and determined that the company owes \$42,293.21 in unpaid contributions for that period of time.


7. The Fund has ascertained that, pursuant to the terms of the Agreement, Bay State would owe \$7,642.34 in interest on the unpaid contributions due if these contributions are paid by September 30, 2005.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 7th DAY OF SEPTEMBER, 2005.


Christopher Walsh

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Affidavit has been served by certified and first class mail upon defendant Bay State Sweeping and Construction Corp. at 369 3rd Street, Everett, MA 02149 this 9 day of September, 2005.


Gregory A. Geiman, Esquire